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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

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|------------------------|-----------------|
| Application Number | 10/088854 |
| Filing Date | March 21, 2002 |
| First Named Inventor | Andrew Mortlock |
| Art Unit | 1624 |
| Examiner Name | T. N. Truong |
| Attorney Docket Number | ASZD-P01-601 |

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Response to Restriction Requirement (2 pages) | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | <input type="checkbox"/> Return postcard |
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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------|----------|--------|
| Firm Name | ROPES & GRAY LLP | | |
| Signature | | | |
| Printed name | Jesse A. Fecker | | |
| Date | December 22, 2004 | Reg. No. | 52,883 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 22, 2004

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(Dawn Marie Class)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 12/22/04

Signature:

(Dawn Marie Class)

Docket No.: ASZD-P01-601
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mortlock et al.

Application No.: 10/088854

Confirmation No.: 6749

Filed: March 21, 2002

Art Unit: 1624

For: QUINAZOLINE COMPOUNDS AND
PHARMACEUTICAL COMPOSITIONS
CONTAINING THEM

Examiner: T. N. Truong

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed December 2, 2004, Applicants hereby provisionally elect Group 2, claims 1-6, 11, 12, 15 and 16, for continued examination. Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

Applicants respectfully traverse the Restriction Requirement because there is no undue burden in examining all of the claimed subject matter. The Examiner is referred to the International Search Report, where the subject matter of all claims was searched simultaneously. Because all claims were searched therein, it is not credible that search and examination of the entire claim set presents an unreasonable burden. According to MPEP § 803, “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions”. Accordingly, Applicants respectfully request that the claims of Groups 1 and 3-7 be recombined with the claims of Group 2.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. ASZD-P01-601, from which the undersigned is authorized to draw.

Dated: December 22, 2004

Respectfully submitted,

By Jesse A. Fecker
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